

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 7626 of 1998

For Approval and Signature:

Hon'ble MR.JUSTICE M.R.CALLA and
MISS JUSTICE R.M.DOSHIT

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1. Whether Reporters of Local Papers may be allowed to see the judgements?
 2. To be referred to the Reporter or not?
 3. Whether Their Lordships wish to see the fair copy of the judgement?
 4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the Civil Judge?
1 to 5 No

PRAJAPATI GALBABHAI DHARMABHAI

Versus

STATE OF GUJARAT

Appearance:

MR BB NAIK for Petitioners
Ms.Ami Yagnik, learned ASST.GOVERNMENT PLEADER
for Respondents

CORAM : MR.JUSTICE M.R.CALLA and
MISS JUSTICE R.M.DOSHIT

Date of decision: 06/10/98

ORAL JUDGEMENT

On 11.9.98 notice was issued and made returnable for 22.9.98 as to why this Special Civil Application may not be admitted and finally disposed of at admission stage. We have heard learned counsel for the parties.

Rule. Ms. Ami Yagnik, learned Asst.G.P. waives service of Rule on behalf of respondents.

The only limited prayer made in this case is for seeking a direction to expedite the issue of the Notification under S.48(1) of the Land Acquisition Act for dropping the acquisition proceedings . It is not disputed by the Asst. G.P. that a decision has already been taken to de-acquire the land and issue Notification under S.48(1) of the land Acquisition Act accordingly with regard to the land in question at villages Vadali and Thuravas in respect of which the Notification under S.4 had been published in the Newspapers on 25.2.96 and 17.3.96 respectively. It is given out by the learned Asst.G.P,. that the Notification shall be issued within a period of 30 days from today. Accordingly it is directed that the Notification under S.48(1) of the Land Acquisition Act with regard to the land in question may now be issued on or before 6.11.98, as stated by the learned Asst. G.P. This Special Civil Application is accordingly allowed and the Rule is made absolute in the terms, as aforesaid. No order as to costs.